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5 Attorneys for Claimant
KIRAN ARORA
6

7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF ALASKA
9

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14

Case No. 3:23-cv-00079-SLG

**ANSWER TO COMPLAINT AND DEMAND
FOR TRIAL BY JURY BY CLAIMANT
KIRAN ARORA**

15 VIRTUAL CURRENCY ASSETS
16 SEIZED FROM: BINANCE US
17 ACCOUNTS WITH USER
18 IDENTIFIERS ENDING IN 5099,
19 9181, & 2269; and FTX TRADING
LTD. ACCOUNTS WITH USER
IDENTIFIERS ENDING IN 9862 &
1919,
20 Defendant(s).
21

22 TO THE HONORABLE COURT AND THE OFFICE OF THE UNITED STATES ATTORNEY
23 FOR THE DISTRICT OF ALASKA:

24 Claimant Kiran Arora (the "Claimant") hereby answers the Plaintiff's Complaint
25 For Forfeiture In Rem (the "Complaint") as follows:

26 Claimant reserves the right to supplement and amend this Answer as necessary
27 as matters develop through discovery of certain facts and circumstances regarding the
28

1 Complaint and specifically reserves his right to file any applicable counterclaims. Any
2 and all allegations contained in the Complaint and not explicitly admitted herein, are to
3 be deemed denied.

4 Please take notice that Claimant demands trial by jury of the issues and defenses
5 raised by Claimant's claim(s) and this answer.

6 1. Claimant lacks knowledge, information or recollection sufficient to form a
7 belief as to the truth of all the allegations contained in Paragraph 1 of the Complaint and,
8 therefore, generally and specifically denies all the allegations in Paragraph 1.

9 2. Claimant lacks knowledge, information or recollection sufficient to form a
10 belief as to the truth of all the allegations contained in Paragraph 2 of the Complaint and,
11 therefore, generally and specifically denies all the allegations in Paragraph 2.

12 3. Claimant lacks knowledge, information or recollection sufficient to form a
13 belief as to the truth of all the allegations contained in Paragraph 3 of the Complaint and,
14 therefore, generally and specifically denies all the allegations in Paragraph 3.

15 4. Claimant lacks knowledge, information or recollection sufficient to form a
16 belief as to the truth of all the allegations contained in Paragraph 4 of the Complaint and,
17 therefore, generally and specifically denies all the allegations in Paragraph 4.

18 5. Claimant lacks knowledge, information or recollection sufficient to form a
19 belief as to the truth of all the allegations contained in Paragraph 5 of the Complaint and,
20 therefore, generally and specifically denies all the allegations in Paragraph 5.

21 6. Claimant lacks knowledge, information or recollection sufficient to form a
22 belief as to the truth of all the allegations contained in Paragraph 6 of the Complaint and,
23 therefore, generally and specifically denies all the allegations in Paragraph 6.

24 7. Claimant denies all allegations contained in Paragraph 7 of the Complaint.

25 8. Claimant lacks knowledge, information or recollection sufficient to form a
26 belief as to the truth of all the allegations contained in Paragraph 8 of the Complaint and,
27 therefore, generally and specifically denies all the allegations in Paragraph 8.
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1 9. Claimant lacks knowledge, information or recollection sufficient to form a
2 belief as to the truth of all the allegations contained in Paragraph 9 of the Complaint and,
3 therefore, generally and specifically denies all the allegations in Paragraph 9.

4 10. Claimant denies all allegations contained in Paragraph 10 of the Complaint.

5 11. Claimant denies all allegations contained in Paragraph 11 of the Complaint.

6 12. Claimant lacks knowledge, information or recollection sufficient to form a
7 belief as to the truth of all the allegations contained in Paragraph 12 of the Complaint
8 and, therefore, generally and specifically denies all the allegations in Paragraph 12.

9 13. Claimant lacks knowledge, information or recollection sufficient to form a
10 belief as to the truth of all the allegations contained in Paragraph 13 of the Complaint
11 and, therefore, generally and specifically denies all the allegations in Paragraph 13.

12 14. Claimant lacks knowledge, information or recollection sufficient to form a
13 belief as to the truth of all the allegations contained in Paragraph 14 of the Complaint
14 and, therefore, generally and specifically denies all the allegations in Paragraph 14.

15 15. Claimant lacks knowledge, information or recollection sufficient to form a
16 belief as to the truth of all the allegations contained in Paragraph 15 of the Complaint
17 and, therefore, generally and specifically denies all the allegations in Paragraph 15.

18 16. Claimant lacks knowledge, information or recollection sufficient to form a
19 belief as to the truth of all the allegations contained in Paragraph 16 of the Complaint
20 and, therefore, generally and specifically denies all the allegations in Paragraph 16.

21 17. Claimant lacks knowledge, information or recollection sufficient to form a
22 belief as to the truth of all the allegations contained in Paragraph 17 of the Complaint
23 and, therefore, generally and specifically denies all the allegations in Paragraph 17.

24 18. Claimant lacks knowledge, information or recollection sufficient to form a
25 belief as to the truth of all the allegations contained in Paragraph 18 of the Complaint
26 and, therefore, generally and specifically denies all the allegations in Paragraph 18.

27 19. Claimant lacks knowledge, information or recollection sufficient to form a
28

1 belief as to the truth of all the allegations contained in Paragraph 19 of the Complaint
2 and, therefore, generally and specifically denies all the allegations in Paragraph 19.

3 20. Claimant lacks knowledge, information or recollection sufficient to form a
4 belief as to the truth of all the allegations contained in Paragraph 20 of the Complaint
5 and, therefore, generally and specifically denies all the allegations in Paragraph 20.

6 21. Claimant lacks knowledge, information or recollection sufficient to form a
7 belief as to the truth of all the allegations contained in Paragraph 21 of the Complaint
8 and, therefore, generally and specifically denies all the allegations in Paragraph 21.

9 22. Claimant lacks knowledge, information or recollection sufficient to form a
10 belief as to the truth of all the allegations contained in Paragraph 22 of the Complaint
11 and, therefore, generally and specifically denies all the allegations in Paragraph 22.

12 23. Claimant lacks knowledge, information or recollection sufficient to form a
13 belief as to the truth of all the allegations contained in Paragraph 23 of the Complaint
14 and, therefore, generally and specifically denies all the allegations in Paragraph 23.

15 24. Claimant lacks knowledge, information or recollection sufficient to form a
16 belief as to the truth of all the allegations contained in Paragraph 24 of the Complaint
17 and, therefore, generally and specifically denies all the allegations in Paragraph 24.

18 25. Claimant lacks knowledge, information or recollection sufficient to form a
19 belief as to the truth of all the allegations contained in Paragraph 25 of the Complaint
20 and, therefore, generally and specifically denies all the allegations in Paragraph 25.

21 26. Claimant lacks knowledge, information or recollection sufficient to form a
22 belief as to the truth of all the allegations contained in Paragraph 26 of the Complaint
23 and, therefore, generally and specifically denies all the allegations in Paragraph 26.

24 27. Claimant lacks knowledge, information or recollection sufficient to form a
25 belief as to the truth of all the allegations contained in Paragraph 27 of the Complaint
26 and, therefore, generally and specifically denies all the allegations in Paragraph 27.

27 28. Claimant lacks knowledge, information or recollection sufficient to form a
28

1 belief as to the truth of all the allegations contained in Paragraph 28 of the Complaint
2 and, therefore, generally and specifically denies all the allegations in Paragraph 28.

3 29. Claimant lacks knowledge, information or recollection sufficient to form a
4 belief as to the truth of all the allegations contained in Paragraph 29 of the Complaint
5 and, therefore, generally and specifically denies all the allegations in Paragraph 29.

6 30. Claimant lacks knowledge, information or recollection sufficient to form a
7 belief as to the truth of all the allegations contained in Paragraph 30 of the Complaint
8 and, therefore, generally and specifically denies all the allegations in Paragraph 30.

9 31. Claimant lacks knowledge, information or recollection sufficient to form a
10 belief as to the truth of all the allegations contained in Paragraph 31 of the Complaint
11 and, therefore, generally and specifically denies all the allegations in Paragraph 31.

12 32. Claimant lacks knowledge, information or recollection sufficient to form a
13 belief as to the truth of all the allegations contained in Paragraph 32 of the Complaint
14 and, therefore, generally and specifically denies all the allegations in Paragraph 32.

15 33. Claimant lacks knowledge, information or recollection sufficient to form a
16 belief as to the truth of all the allegations contained in Paragraph 33 of the Complaint
17 and, therefore, generally and specifically denies all the allegations in Paragraph 33.

18 34. Claimant lacks knowledge, information or recollection sufficient to form a
19 belief as to the truth of all the allegations contained in Paragraph 34 of the Complaint
20 and, therefore, generally and specifically denies all the allegations in Paragraph 34.

21 35. Claimant lacks knowledge, information or recollection sufficient to form a
22 belief as to the truth of all the allegations contained in Paragraph 35 of the Complaint
23 and, therefore, generally and specifically denies all the allegations in Paragraph 35.

24 36. Claimant lacks knowledge, information or recollection sufficient to form a
25 belief as to the truth of all the allegations contained in Paragraph 36 of the Complaint
26 and, therefore, generally and specifically denies all the allegations in Paragraph 36.

27 37. Claimant lacks knowledge, information or recollection sufficient to form a
28

1 belief as to the truth of all the allegations contained in Paragraph 37 of the Complaint
2 and, therefore, generally and specifically denies all the allegations in Paragraph 37.

3 38. Claimant denies all allegations contained in Paragraph 38 of the Complaint.

4 39. Claimant lacks knowledge, information or recollection sufficient to form a
5 belief as to the truth of all the allegations contained in Paragraph 39 of the Complaint
6 and, therefore, generally and specifically denies all the allegations in Paragraph 39.

7 40. Claimant lacks knowledge, information or recollection sufficient to form a
8 belief as to the truth of all the allegations contained in Paragraph 40 of the Complaint
9 and, therefore, generally and specifically denies all the allegations in Paragraph 40.

10 41. Claimant lacks knowledge, information or recollection sufficient to form a
11 belief as to the truth of all the allegations contained in Paragraph 41 of the Complaint
12 and, therefore, generally and specifically denies all the allegations in Paragraph 41.

13 42. Claimant denies all allegations contained in Paragraph 42 of the Complaint.

14
15 **AFFIRMATIVE DEFENSES**

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17 43. Claimant repeats the denials and affirmations of the allegations set forth in
18 paragraphs 1 through 42 of this Answer, as though fully set forth here. In addition,
19 Claimant raises the following numbered defenses to the Complaint.

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21 **FIRST DEFENSE**

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23 44. The Complaint, and each purported claim for relief, fails to state facts
24 sufficient to constitute claim(s) upon which relief can be granted to defeat Claimant's
25 claim to subject property or properties.

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27 **SECOND DEFENSE**

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2 45. The Plaintiff lacks probable cause for belief that a substantial connection
3 exists between the property or properties sought to be forfeited and any unlawful
4 conduct.

5
6 **THIRD DEFENSE**
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8 46. This Court lacks jurisdiction over the defendant property or properties or
9 this action, and venue in any forum, is improper and inconvenient.

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11 **FOURTH DEFENSE**
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13 47. The evidence seized during the search must be suppressed as the fruit of
14 an unreasonable search and seizure under the Fourth Amendment to the United States
15 Constitution and *One 1958 Plymouth Sedan v. Commonwealth of Pennsylvania*, 380 U.S.
16 693 (1965).

17
18 **FIFTH DEFENSE**
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20 48. The forfeiture of the defendant property or properties, in addition to any
21 criminal punishment, fines and assets that may be forfeited would be grossly
22 disproportionate punishment in violation of the Eight Amendment's Excessive Fines
23 Clause, and *Austin v. United States*, 509 U.S. 602 (1993).

24
25 **SIXTH DEFENSE**
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27 49. Plaintiff has failed to comply with several statutory notice requirements,
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1 which, among other legal consequences, make the Complaint void and null.

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3 **SEVENTH DEFENSE**
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5 50. Without waiving any defense asserted above, Claimant further asserts that
6 defendant property or properties are not subject to forfeiture on the basis that any act
7 or omission, if any, on the part of any other individual that would potentially give rise to
8 forfeiture of the defendant properties, was committed or omitted without the
9 knowledge or consent of the Claimant.
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11 WHEREFORE, Claimant prays that the Honorable Court will:
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13 1. Dismiss the Complaint and enter judgment on behalf of the Claimant and
14 that Plaintiff take nothing by reason of this suit;

15 2. Deny issuance of a certificate of reasonable cause pursuant to 28 U.S.C.
16 Section 2465 and award costs and attorney's fees to the Claimant; and

17 3. Provide such other and further relief, both legal and equitable, as the Court
18 deems proper and just.
19
20

21 DATED: June 23, 2023

Respectfully submitted,

/S/ Jacek W. Lentz

24 By: _____
25 Jacek W. Lentz
26 THE LENTZ LAW FIRM, P.C.
27 Attorneys for Claimant
28 Kiran Arora